



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/486,313 06/07/95 WEISS S A-61105-11/D

HM12/0910
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EXAMINER

BAKER, A

ART UNIT

PAPER NUMBER

1632

DATE MAILED: 09/10/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Interview Summary

Application No.

08/486,313

Applicant(s)

Weiss et al.

Examiner

Anne-Marie Baker, Ph.D.

Group Art Unit

1632



All participants (applicant, applicant's representative, PTO personnel):

(1) Anne-Marie Baker, Ph.D.

(3) _____

(2) Ivor Elrifi, Ph.D.

(4) _____

Date of Interview Aug 30, 2001Type: a) ☒ Telephonic b) ☐ Video Conferencec) ☐ Personal [copy is given to 1) ☐ applicant 2) ☐ applicant's representative]Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:Claim(s) discussed: 26, 27, 32-37, and 39-62

Identification of prior art discussed:

NONEAgreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The Examiner left a message for the attorney in following up on his request that I contact him once I have had a chance to look at the after final response filed. The Examiner pointed out that the response refers to four Declarations, that of Hammang, Baetge, Wahlberg, and Uchida. Only the Hammang and Baetge Declarations were received. However, the Examiner further pointed out that declarations submitted under 37 CFR 1.132 are not considered timely when filed after a final rejection, unless submitted in response to a new ground of rejection made in the final rejection. In this case, no new ground of rejection was made in the final rejection. Thus, the 2 declarations filed are not entitled to consideration. The Examiner referred the attorney to MPEP 716.01. The Examiner stated that she has considered the after final response, but does not find the arguments persuasive, as none of the references cited demonstrate a therapeutic effect upon transplantation of cells of the invention.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Anne-Marie Baker
ANNE-MARIE BAKER
PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.